

Appl. No. : 09/688,775
Filed : October 16, 2000

REMARKS

This is in response to the Office Action mailed March 24, 2003. By that Action, the Examiner finally rejected Claims 1-23 under 35 U.S.C. § 102 as being anticipated by U.S. Patent No. 5,928,082 to Clapper, Jr.

Applicants have filed herewith a Request for Continued Prosecution and requests consideration of new Claims 24-32. Applicants assert that these claims are believed allowable over the prior art, including Clapper, Jr., for the following reasons.

Independent Claim 24

As indicated previously, Clapper, Jr., teaches issuing vouchers from a roll or strip 30. (Clapper, Jr., Col. 10, lines 9-12). The roll or strip is pre-printed with voucher indicia 52, such as phone card information. (Clapper, Jr., Col. 10, lines 45-55). The roll or strip also bears second or “game” indicia 50. (Clapper, Jr., Col. 10, lines 56-60). Thus, Clapper, Jr.’s, invention is a combination voucher and game ticket.

The premise behind Clapper, Jr.’s, invention is to entice consumers to buy the voucher, which evidences expenditure. The voucher may comprise, for example, a phone card. (Clapper, Jr., Abstract). To entice the consumer, Clapper, Jr., discloses associating game indicia with the voucher. The game indicia is used to play a promotion (Clapper, Jr., Col. 2, lines 12-16).

Clapper, Jr., discloses that when the voucher is issued, the player may examine the game indicia to determine if they are winner of the promotion (Clapper, Jr., Col. 6, lines 16-20). In addition, Clapper, Jr., discloses that the result of the promotion may be displayed to the player by the voucher issuing device. As such, the game indicia includes a bar code 60 which is representative

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of the game indicia (Clapper, Jr., Col. 12, lines 4-6). The voucher issuing device includes a scanner 68 which reads the bar code 60 and introduces the code to a microprocessor 120 (Clapper, Jr., Col. 14, lines 58-59). In one embodiment, the bar code is read at the same time the voucher is issued by the device, and in another, the bar code is read when the player re-inserts the voucher into a slot (Clapper, Jr., Col. 15, lines 33-35 and Col. 16, lines 18-25). The microprocessor operates an indicia control means which causes the display of indicia on a display 132. (Clapper, Jr., Col. 15, lines 41-45). In this manner, the voucher issuing device also displays the outcome of the promotion which is also printed on the voucher itself.

Claim 24 recites a method of utilizing vouchers to play games. As claimed, vouchers are generated which have associated value in the form of usable credits. Upon presentation, voucher information is transmitted from a gaming machine to a remote host. If the voucher is verified, the associated credits are credited for use at the gaming machine. The user then uses one or more of the credits as a wager, those credits debited from the total credits provided. The game is then presented.

Applicants assert that Clapper, Jr., does not teach such a method. Among other things, Clapper, Jr., does not teach verifying a voucher by sending information to a remotely located host. At most, Clapper, Jr., discloses electronically displaying game results by reading a bar code from the game ticket and comparing the bar code to matching results stored in memory. (Clapper, Jr., Col. 15, line 4-10).

The voucher/game ticket combination in Clapper, Jr., does not have associated credits. Instead, the voucher is for use independent of play of the game, and the ticket portion is the game itself. The game ticket portion of Clapper, Jr.'s., combination is played by simply opening the ticket

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or feeding the ticket into a reader so as to read the bar code therefrom. This is a significant, fundamental difference. In accordance with the invention, a player can use the voucher at any gaming machine to play a variety of different games, as the voucher represents credits which can be used as a wager. In accordance with Clapper, Jr., the game ticket is the game or represents a specific game outcome. The player can play only one "game," and that is simply determining if the game ticket represents a winning promotion.

Dependent Claims 25-28

These claims are believed patentable for at least the reason they depend from Claim 24.

As claimed in Claim 25 and 27 and disclosed in the application, the voucher of the invention may be issued to a user independent of provided value and has no value itself. Clapper, Jr., discloses providing a promotional game ticket as enticement for the player having purchased the voucher, such as in the case of a phone card.

Claim 26 recites storing information regarding prior use of a voucher to prevent later use of the voucher. Clapper, Jr., does not disclose such a method to prevent re-use of a voucher/game ticket.

Claim 28 recites a method in which the game presented at the gaming machine is independent of the voucher presented. Clapper, Jr., discloses that each promotional game is tied to a specific game ticket, with the results either printed or bar-coded onto the ticket. In accordance with the invention, credits associated with the voucher are used to play a game, and the outcome of the game is wholly independent of the voucher/game ticket.

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Independent Claim 29

Independent Claim 29 recites a gaming system including a gaming machine, host and voucher generating station which are all remotely located from one another. When a voucher is accepted at a gaming machine, information regarding the voucher is transmitted to the remote host for voucher verification. If the voucher is verified, the gaming machine provides credits associated with the voucher for use by a player. The gaming machine accepts one or more of the credits as a wager, and in response thereto, presents a game.

As described above, Clapper, Jr., does not disclose a system having remotely located gaming machines, hosts and voucher issuing devices. Among other things, to the extent game ticket "identification" occurs in Clapper, Jr., such comprises the comparison of a read bar code at the gaming machine with matching game results stored in a memory at the gaming machine. (See Clapper, Jr., at Col. 15, lines 4-10).

In Clapper, Jr., the voucher/game ticket combinations do not have associated credit value and a player is not permitted to use the credits to place a wager to play a game. Instead, as also detailed above, in Clapper, Jr., the game ticket represents the game or the outcome of the game itself.

Dependent Claims 30-32

These claims are believed patentable for at least the reason they depend from independent Claim 29.

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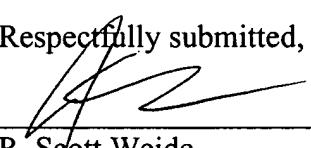
Claim 40 recites that the gaming machine is configured to present a game having an outcome which is independent of the presented voucher. As indicated above, in Clapper, Jr., the game results are tied to a specific game ticket.

Claim 41 recites a system in which a number of credits is reduced by the number used by a player. Clapper, Jr., does not disclose associating credits with a voucher/game ticket, and thus does not disclose how credits are used, including reduced based upon use.

Claim 42 recites that the voucher has no value independent of the associated credits which may be used to play a game. Clapper, Jr., does not disclose a voucher/game ticket having associated credits for use as a wager at a gaming machine. In addition, the voucher/game ticket combination in Clapper, Jr., represents purchased value, such as in the case of a phone card.

Summary

Applicants assert that Claims 24-32 are in a condition for allowance and respectfully requests a notice as to the same. If any matters remain outstanding, the Examiner is invited to contact the undersigned by telephone.

Dated: June 16, 2003 By: 
Respectfully submitted,
R. Scott Weide
Registration No. 37,755
Weide & Miller, Ltd.
Bank West Building, 5th Floor
7251 W. Lake Mead Blvd., Suite 530
Las Vegas, NV 89128
(702)-382-4804 (Pacific time)